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AS 48

PK MS-44
REF
Argentine

MEMORANDUM OF CONVERSATION

DATE: February 2, 1979

SUBJECT : PEN Prisoners and Human Rights

PARTICIPANTS: Col. (ret.) Vincente San Roman, Director General for
Internal Security, Ministry of Interior
Mr. Kenneth Sackett, Vice Counsel, American Embassy,
Buenos Aires
Mr. F. Allen Harris, Political Officer, American Embassy,
Buenos Aires
Mr. Peter Reyes, TDY INS Officer, Department of State

COPIES TO : ARA/ECA - Mr. Brayshaw AMB DAO
HA/HR - Mr. Flood DCM CONS
INR/RAR - Mr. Buchanan POL SY
ARA - Mr. Lister POL/R
INR/OIL/ORPA - Mr. Gresham USICA
HA/ORM - Ms. Chavchavadze ECOM

A call was made on Col. San Roman specifically to introduce TDY INS Officer Reyes and to resolve a number of issues regarding the right of option program.

Right of Option Problems

In response to Mr. Sackett's requests, San Roman made the following decisions:

- Granted permission for Mr. Reyes to interview PEN detainees applying for parole into the United States.
- Promised to reply on February 6 or 7 to the Embassy's latest request to interview some 91 PEN prisoners who have applied for the US parole program.
- Stated that he would check with the Federal Security Service to confirm that parole documents for PEN prisoners departing for the United States may be delivered to the detainee at the Federal Police Headquarters while the prisoner is being held there for final out-processing.

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Drafting Office and Officer

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ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

(X) Release () Excise () Deny

Exemption(s):

Declassify: () In Part (X) In Full

() Classify as () Extend as () Downgrade to

Date Declassify on Reason

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2

- Stated that to speed the processing of the PEN applications his office would treat as "optionable" for the U.S. Embassy, those PEN prisoners who had six months or less to serve of a civil or military sentence.
- Stated that as a special procedure, he personally would change the final destinations of detainees to the United States if those persons were acceptable for the U.S.G. parole program and if the family presented a letter stating that the detainee wished resettlement in the United States instead of the country originally listed on the person's right of option application. San Roman emphasized this ad hoc procedure, was preferable than beginning the entire application de novo in cases where the detainee wished to change his country of final destination.
- Affirmed that persons under house arrest or conditional liberty (libertad vigilada) are eligible to apply for the right of option program. San Roman noted that these persons had a good chance of having their PEN status completely removed and consequently should weigh carefully whether they wanted to leave Argentina under the right of option program as they would not be able to return until the state of siege had been lifted.

Disappearances

San Roman remarked that he was now responding to inquiries on disappearances that had been received by the Ministry of Interior prior to his becoming Director General of Internal Security. He noted that his predecessor had not replied to the many letters and telegrams asking for help in locating disappeared relatives. San Roman said that that policy was wrong, that Argentine citizens deserved to know that the government had in fact received their reports of disappearances and was seeking information regarding the whereabouts of the missing person.

PEN Prisoner Program Improvements

We discussed the interest in the right of option program among U.S. Congressmen and human rights groups in the United States. San Roman commented that the Embassy's references to the right of option program, especially during Ambassador Castro's meetings with President Videla and Junta members, were very useful. San Roman said that if the U.S. continued to push from the top and he continued to push from the bottom, the right of option program might improve.

San Roman mentioned that at the most recent Presidential Right of Option Advisory Council meeting, the panel had approved over twenty-five right of

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3

option cases. He said that generally at such meetings, the panel only approves two or three option cases. He said this was an excellent sign. San Roman noted that eight of the cases involved prisoners who still had to complete their court imposed sentences before they would be allowed to leave Argentina.

San Roman said that with both Chile and the major command reassignments now settled, the processing of the right of option applications through the various military commands had improved markedly.

San Roman said that the procedures had been completed for transferring all the PEN detainees to six penal facilities which would be run by the Ministry of Interior. He also mentioned that the Inter-Agency Working Group preparing a "new law" on prisoner treatment (to apply to both ordinary criminal and PEN prisoners) was working well.

Anti-Subversive Activities

During a discussion of recent disappearance cases, San Roman noted that in the January abduction of engineer Abrales it was still unclear whether it was an "independent operation" conducted by an official group or an extortion attempt. He noted that he had met with Mrs. Abrales yesterday and that the Ministry's inquiries had not turned up any information regarding the disappearance.

San Roman said that the Ministry's policy was to provide all the information available regarding disappearances to the concerned families. He joked that "because he did not have enough to do," Minister Harguindeguy had appointed him as chairman of an Inter-Agency Committee to improve the "coordination" between the government's security forces. In a back and forth conversation, San Roman stated that responsibility for conducting anti-subversive operations would remain as it has been under the Army Corps Commanders, the Military Services and the Federal Police. Each would continue to have their area of normal responsibility. The focus of the Inter-Agency Committee was to establish procedures for the operational units to provide information regarding operations conducted to the Ministry of Interior and to turn prisoners over to the central government. He said that the anti-subversive units had to be forced to provide information on persons detained and at some point turn these prisoners over to the central government, instead of detaining prisoners in their own facilities.

CLEARANCES:

DCM: MChaplin

POLCOUNS: WHHallman

CONS: KSackett

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